No. 95-1958

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IN THE

Supreme Court of the United States

OCTOBER TERM, 1995

WINFRED WAYLON JACKSON,

Petitioner,

v.

CITY OF ATLANTA, TEXAS, *et al,*

Respondents.

On Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

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SUPPLEMENTAL BRIEF IN SUPPORT OF PETITION FOR WRIT OF CERTIORARI

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Since the filing of Petitioner's Reply to Respondents' Brief in Opposition to Certiorari, there has been an intervening event that is relevant to the Court's consideration of the petition herein. On September 24, 1996, the United States, at the Court's invitation for its views, filed a brief suggesting that the Court grant the Petition for a Writ of Certiorari in No. 95-1439, *Lakoski v. University of Texas Medical Branch*. *Lakoski* raises an issue closely related to the issue presented here, viz., whether Title VII is the exclusive remedy for claims of employment discrimination based on gender for employees of federally funded state institutions, to the exclusion of Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681(a).

The present case raises the question of whether Title VII is the exclusive remedy for claims of employment discrimination based on race for employees of state or local

governments, to the exclusion of 42 U.S.C. §§ 1981 and 1983. The two cases together provide the opportunity to decide different aspects of the issue of whether Title VII is the exclusive remedy for employment discrimination, a question concerning which the lower courts require guidance.

Petitioner, therefore, respectfully suggests that it would be appropriate for the Court to grant certiorari in both *Lakoski* and the present case.

CONCLUSION

For the foregoing reasons, the petition for a writ of certiorari should be granted and the decision of the court below reversed.

Respectfully submitted,

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